

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 330 OF 2006

ALBANO VESPAZIANO JOSE VAZ AND Petitioners
ANR.,

Versus

JOANA FRANCISCA ERRIC BERNARDETE Respondents
GOMES E BARRETO AND 8 ORS.,

Mr. J.E. Coelho Pereira, Sr. Advocate with Mr. S.B. Karpe, Advocate for
the Petitioner.

Mr. Valmiki Menezes For R. 1 To 5/caveator

Coram:- V.C. DAGA, J.

Date:- 4th August, 2006

P.C.:

Heard rival parties.

Perused petition.

In view of the statement made by the learned counsel appearing for the respondents that the construction of the building is complete and that the respondents are also armed with the occupancy certificate, I do not see any reason to entertain the petition. Even otherwise looking to the concurrent findings of fact recorded by both the Courts below based on evidence on record, this is not a fit case for admission. However, it is made clear that, it would be open for the parties to address the trial Court so far as the adjustment of equities are concerned. The trial Court shall be free to decide the matter on its own merits.

Writ petition disposed of. No order as to costs.

V.C. DAGA, J.

sl.